

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

NAKIA JOHNSON,

Plaintiff,

v.

AMAZON.COM, INC., and  
EBAY, INC.,

Defendants.

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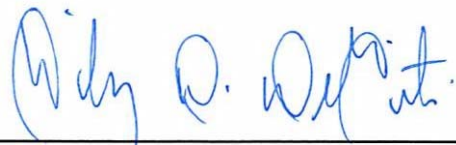
Case No. CIV-20-223-D

**ORDER**

Before the Court is a Motion to Dismiss Plaintiff's Complaint [Doc. No. 15], filed by Defendant Ebay, Inc. ("Ebay") on August 7, 2020. During the pendency of the motion, Plaintiff filed an Amended Complaint [Doc. No. 19]. This Amended Complaint supersedes Plaintiff's original pleading and renders it of no legal effect. *See Davis v. TXO Prod. Corp.*, 929 F.2d 1515, 1517 (10th Cir. 1991); *Predator Int'l, Inc. v. Gamo Outdoor USA, Inc.*, 793 F.3d 1177, 1180–81 (10th Cir. 2015); *Mink v. Suthers*, 482 F.3d 1244, 1254 (10th Cir. 2007). Thus, Ebay's motion directed at the Complaint is moot.

**IT IS THEREFORE ORDERED** that Ebay's Motion to Dismiss Plaintiff's Complaint [Doc. No. 15] is **DENIED** as moot, without prejudice to refiling a motion directed at the Amended Complaint.

**IT IS SO ORDERED** this 14<sup>th</sup> day of September 2020.



TIMOTHY D. DeGIUSTI  
Chief United States District Judge